

We reviewed your complaint, Ms. Walen's written response to the complaint, Ms. Walen's F-1 report, her original and amended F-1 Supplement forms, and the Reporting Modification she requested from the PDC. We also spoke with Ms. Walen. As a result of our review, we found:

- Ms. Walen is a first-time candidate, seeking the office of Kirkland City Councilmember in the 2009 Primary and General elections. On May 4, 2009, Ms. Walen filed a Personal Financial Affairs Statement. It was the first F-1 filed by Ms. Walen.
- Ms. Walen's husband, James Walen, is a 25 percent owner of DOCK Management, DBA Ford Hyundai of Kirkland, and Ms. Walen is an officer of the corporation, serving as its Chief Financial Officer.
- The F-1 Supplement page filed by Ms. Walen correctly included DOCK Management, DBA Ford Hyundai of Kirkland, but stated "N/A" in response to questions about payments the dealership received from the City of Kirkland, other governmental agencies, and business customers.
- Ms. Walen stated that after reading the complaint and the relevant regulations, she realized that she should have included payments Ford Hyundai of Kirkland received from the City of Kirkland during the 12 months before she became a candidate. Ms. Walen acknowledged that she failed to recognize that the City of Kirkland does business with Ford Hyundai of Kirkland. She said she is an amateur in politics, and should have studied the regulations more carefully.
- On August 26, 2009, Ms. Walen filed an amended F-1 Supplement, disclosing that the City of Kirkland paid Ford Hyundai of Kirkland \$10,555.33 in 2008 and \$13,274.30 in 2009. The payments were for vehicle parts and labor. Ms. Walen stated that during the period covered by her F-1, the City of Kirkland did not purchase any vehicles.
- In addition, on August 26, 2009, Ms. Walen applied for a Reporting Modification, seeking a waiver from reporting the other governmental agencies and business customers paying \$10,000 or more to Ford Hyundai of Kirkland. On September 24, 2009, Ms. Walen sought and received an exemption consistent with PDC Interpretation 02-05, the standard modification for motor vehicle dealers. It requires her to report: (a) All purchases and leases of vehicles, and purchases of parts and services by the City of Kirkland; (b) Business customers and governmental entities other than the City of Kirkland that purchased or leased ten or more vehicles; (c) Business customers who paid in excess of \$15,000 for the purchase of parts and/or service; and (d) all

governmental entities other than the City of Kirkland that paid in excess of \$7,500 for the purchase of parts and/or service.

Ms. Walen timely filed an F-1 report when she became a candidate. She is a first-time candidate, and acknowledged failing to recognize that the City of Kirkland had paid Ford Hyundai of Kirkland for vehicle parts and labor, and that she had a duty to report other governmental agencies and business customers. When notified of her error, she promptly reported the missing information for payments received from the City of Kirkland, and requested the reporting modification available for car dealers for payments received from other governmental agencies and business customers. Ms. Walen has amended her F-1 report to comply with Interpretation 02-05. For these reasons, formal enforcement action is not warranted in this instance.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against Amy Walen. Ms. Walen is being notified of this dismissal by separate letter.

Thank you for bringing this matter to our attention. The process relies on citizens monitoring campaign activity to promote full compliance with the law. Your actions will contribute to better public disclosure of important campaign information.

If you have questions, please contact Phil Stutzman, Director of Compliance, at (360) 664-8853, toll-free at 1-877-601-2828 or by e-mail at pstutzman@pdc.wa.gov.

Sincerely,


Vicki Rippie
Executive Director